



IN THE INITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Eric D. Schneider

Application No.: 09/719,339

Filed: March 5, 2002

For: Method and Apparatus for Dealing With

Data Corruption and Shared Disks in the Context of Saving, Using and Recovering

Data

Confirmation No.: 7159

Group Art Unit: 2113

Examiner: E. Puente

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

SONNENSCHEIN NATH & ROSENTHAL LLP Customer No. 45969

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.
- (d) is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is

known to the undersigned, prior to the mailing date of either a final rejection of	or a
notice of allowance, whichever occurs first, and is accompanied by either the	fee
(\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR §	§
1.97(e), as checked below.	
(e) is filed after the mailing date of either a final rejection or a notice of allowance	e,
whichever occurred first, and the Issue Fee has not been paid, and is accompanied	nied
by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specifi	ed
in 37 CFR § 1.97(e), as checked below. This document is to be considered as	a
petition requesting consideration of the information disclosure statement.	
[If either of boxes (d) or (e) is checked above, the following "certification" under 37 (CFR
§ 1.97(e) may need to be completed.] The undersigned certifies that:	
(f) Each item of information contained in the information disclosure statement was	as
cited in a communication mailed from a foreign patent office in a counterpart	
foreign application not more than three months prior to the filing of this	
information disclosure statement.	
(g) No item of information contained in this information disclosure statement was	S
cited in a communication mailed from a foreign patent office in a counterpart	
foreign application or, to the knowledge of the undersigned after making	
reasonable inquiry, was known to any individual designated in 37 CFR § 1.56	(c)
more than three months prior to the filing of this information disclosure staten	nent
A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449	
(Modified).	
A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted	
pelow.	
Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached	d
form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this	an
application filed after June 30, 2003, or (b) were previously cited by or submitted to the Offic	ce ir
a prior application no, filed, and relied upon in this application for an earlier fi	ling
date under 35 U.S.C. § 120.	
A concise explanation of relevance of the items listed on form PTO-1449 (Modified)	is:
(h) \boxtimes not given	

Atty Docket No.: 44420423-7924

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- (j) given for only non-English language listed item(s) [Required]
- (k) is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

You are authorized to charge the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) to the credit card authorization enclosed herewith.

The Commissioner is hereby authorized to credit overpayments or to charge any deficiency in a required fee to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

SONNENSCHEIN NATH & ROSENTHAL LLP

Dated: 1/20/05

Jeffrey Brill, Reg. No. 51,198

Attorney for Applicant(s)

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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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		- •		Application Number	09/719,339		
INFORMATION DISCLOSURE				Filing Date	March 5, 2002		
STATEMENT BY APPLICANT		First Named Inventor	Eric D. Schneider				
			•	Art Unit	2113		
(use as many sheets as necessary)			as necessary)	Examiner Name	E. Puente		
Sheet	1	of	1	Attorney Docket Number	44420423-7924		

Silect	1		Attorney Do	cket number 4442042	.5-1924	
		U.S.	PATENT DOC	UMENTS		
Examiner Initials*	Cite No.1		ublication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Relevant Figures Appear	
		FORE	GN PATENT DO	CUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		JP 07-059861	09-13-1996	NEC Corp.	Japanese published application and English abstract	
		JP 04-038739	08-13-1993	Shikoku Nippon Denki	Japanese published	

	JP 04-038739	08-13-1993	Software KK	application and English abstract	
	JP 01-036972	08-27-1990	Fujitsu Ltd.	Japanese published application and English abstract	
	JP 62-114595	14595 11-17-1988 Hitachi Ltd.		Japanese published application and English abstract	
Examiner Signature			Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unque citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.:

44420423-7924

Application No.

09/719,339

Supplemental Information Disclosure Statement (in duplicate) 4 cited references
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